

Docket No. YAMAP0575US

Serial No.: 09/089,901

REMARKS

Claims 1-20 are pending in the application. Claims 1 and 11 are amended herein. Favorable reconsideration of the application, as amended, is respectfully requested.

Claims 1 and 11 have been amended in order to clarify further the distinctions between the present invention and that which is described in the art of record. The amendments are not intended to change substantially the scope of the original claims, but rather are provided in an effort to make more clear the distinctions as originally intended and inherent in the disclosed and originally claimed invention.

REJECTIONS OVER JP 04-141827 IN VIEW OF MORIYA ET AL., SENSU OR ITOI

In the Office Action, claims 1, 2, 7, 9, 11, 12, 17 and 19 stand rejected as obvious over the allegedly acknowledged prior art JP 4-141827 (JP '827) further considered with Moriya et al., U.S. Patent No. 5,508,995, and all further considered with either Sensu, U.S. Patent No. 6,058,099 or Itoi, U.S. Patent No. 5,995,458.

The Examiner contended that JP '827, "discloses a basic parameter testing-calibrating capability wherein the parameter selected is one of power, which is equivalent to intensity." The Examiner admitted that JP '827 lacks any mention of a spiral track environment or that information can be recorded on/in all areas. The Examiner contends that Moriya et al. shows that the spiral track environment and that information can be recorded on/in all areas is well known.

Regarding the "wherein" clause, the Examiner first stated his interpretation that the claims mean that the recording of the information is continuously performed from the land to the groove (or alternatively from the groove to the land). The Examiner contends that either of Sensu or Itoi teach such recording technique.

Applicants traverse the Examiner's interpretation of both the cited references and Applicants' claimed invention. In order to more clearly describe the claimed invention and to further clarify the distinctions between the present invention and that

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which is described in the art of record. Applicants have further amended the "wherein" clause to make clear that it is during the time when the controller changes the control parameter, during the steps of repeating the recording and reproduction and detection, that the recording and reproduction unit requires a reduced number of disk revolutions to determine the control parameter relative to a unit which records and reproduces a signal from a groove track and then records and reproduces a signal from a land track when the controller changes the control parameter.

Applicants respectfully submit that the contended combination of prior art references fails to disclose or suggest any such features. As explained in the following, the pending claims make clear the distinction over the prior art.

Senshu discloses an optical disc having a land and a groove, in which information is recorded and/or reproduced on or from a track on the land and the groove. The optical disc has an address section having a group of address information data previously formed at a pre-set period on the track. The group of address information is arranged with an offset in the track direction in an ordered pattern. The address section may be arranged at switching positions from the land to the groove or vice versa. Applicants submit that Senshu, taken together with JP '827 and Moriya et al., neither discloses nor suggests the features of the presently claimed invention.

The Examiner cited Senshu at col. 4, lines 56-59 in support of the rejection. However, the cited disclosure merely states that the interchanging of the grooves and the lands need not be done *once* each track turn, but may also be done *an odd number of times* per track turn. This disclosure, taken together with JP '827 and Moriya et al., does not support the Examiner's position. This does not disclose or suggest any relationship between this feature of Senshu and the determination and changing of a control parameter in these disclosures.

Itoi discloses a method of scanning an optical disk having a land area and a groove area in a double spiral configuration. Itoi scans one of the two areas continuously radially inward or radially outward, and scans the other area inward or

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outward from the end of the scanning of the one area. The groove area, if the land area is scanned first, or the land area, if the groove area is scanned first, is scanned outward or inward from the end of the scanning of the previous area. That is, one of the land area and groove area is continuously scanned without any jump. Thus, in Itoi, the land groove is scanned from end to end, and then the groove track is scanned from end to end. Applicants submit that Itoi, taken together with JP '827 and Moriya et al., neither discloses nor suggests the features of the presently claimed invention.

The Examiner cited Itoi at col. 1, line 51 to col. 2, line 5 in support of his rejection. However, the cited disclosure merely states that an MCAV recording system, which maintains the rotation speed of a disk constant and increases the amount of data per track in proportion to the radius of the disk, can be combined with a land/groove recording system. As a result, a moving picture may be continuously recorded in both the land portion and groove portion of a disk. This disclosure, taken together with JP '827 and Moriya et al., does not support the Examiner's position. This does not disclose or suggest any relationship between this feature of Itoi and the determination and changing of a control parameter in these disclosures.

Withdrawal of the rejection is respectfully requested for at least the foregoing reasons.

CONCLUSION

Accordingly, all of claims 1-20 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

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Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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Date: November 12, 2004


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